

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

MARCUS HUBBARD and
NATHANIEL EVANS,

Plaintiffs,

v.

Civ. No. 21-86 SMV/GJF

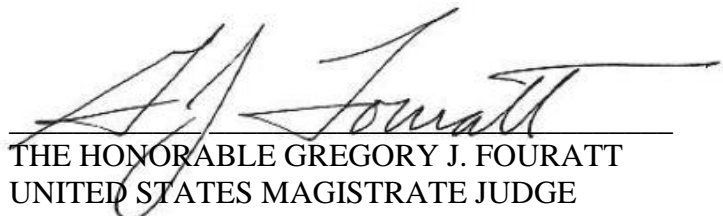
CONTINENTAL INTERMODAL
GROUP – TRUCKING, LLC,

Defendant.

**ORDER DENYING WITHOUT
PREJUDICE DEFENDANT’S MOTION TO DISMISS**

THIS MATTER is before the Court on Defendant Continental Intermodal Group – Trucking LLC’s Motion to Dismiss. ECF 13. As with the previous Motion to Transfer Case [ECF 9], the instant Motion does not indicate whether it is opposed or whether Defendant even sought Plaintiffs’ position before filing. But the Local Rules—as the Court mentioned three days ago in its previous order—require that a “[m]ovant must determine whether a motion is opposed, and a motion that omits recitation of a good-faith request for concurrence may be summarily denied.” ECF 11 at 1 (quoting D.N.M.LR-Civ. 7.1.(a)). Because Defendant’s Motion does not include a “recitation of a good-faith request for [Plaintiffs’] concurrence,” the Court will also summarily deny this Motion. Any additional violations of this Local Rule will result in an Order to Show Cause.

IT IS ORDERED that Defendant’s Motion is **DENIED WITHOUT PREJUDICE**.


THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE